



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Egrie et al.

Serial No.: 09/559,001

Group Art Unit No.: 1646

Filed: April 21, 2000

Examiner: Kemmerer, E.

For: Methods and Compositions for the Prevention and Treatment of Anemia

Docket No.: A-460A

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RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated June 28, 2001 in which Claims 1-44 were subject to a restriction requirement.

REMARKS

The Restriction Requirement

The Examiner has required restriction to one of the following inventions under 35 U.S.C.

121:

I. Claims 1-10, 14, 18-22 and 32-37, drawn to methods of raising and maintaining hematocrit in a mammal comprising administering an analog of erythropoietin (EPO), classified in class 514, subclass 12.

II. Claims 11-13, 15-17, 23-28 and 31, drawn to EPO analogs and compositions comprising same, classified in class 530, subclass 350.

III. Claims 29 and 30, drawn to DNA encoding EPO and a host cell comprising same, classified in class 536, subclass 23.1.

08/08/2001 DTHOMAS 00000002 010519 IV. Claims 38-44, drawn to fusion proteins comprising EPO analogs, classified in
01 FC:115 110.00 CH class 530, subclass 350. 09559001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

July 31, 2001

Date

H. D. Dillen
Signature